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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,061	05/31/2001	Dean Tan	50277-1510	4009

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EXAMINER

BLACK, LINH

ART UNIT PAPER NUMBER

2163

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/873,061

Applicant(s)

TAN ET AL.

Examiner

LINH BLACK

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 6/13/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 54-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 54-58 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/16/05,3/29/06b6/12/06,6/13/06.

Art Unit: 2163

### **DETAILED ACTION**

This communication is in response to the document dated 6/13/06. Claims 54-58 are pending in the application. Claim 54 is an independent claim. Claims 1-53 are cancelled.

#### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 5/16/05, 3/29/06, 6/12/06, 6/13/06 had been considered by the examiner.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over "XML Pro v2 User Guide", Copyright 1999 Vervet Logic LLC, 25 pages, and further in view of Nussbaum et al. (US 6779154).

As per claim 54, the "XML Pro V2 User Guide" teaches:

Art Unit: 2163

Applicants in the specification, pages 45-46, 74 and 77 teach the translating of XML documents/statements to HTML documents/statements that are understood by all browsers for presentation to the customer. As **"XML Pro v2 User Guide"** on page 1a, last paragraph teaches "no XML-capable browsers exist yet".

executing the instructions; wherein the instructions are instructions which, when executed by one or more processors, cause: storing a web site XML file – page 1a, 3<sup>rd</sup> paragraph of the "Text" section, "Simply put, XML consists of a series of tags that let you build definitions with which you can devise other customized tags for website development. XML Pro simplifies this otherwise intricate structure by letting developers work in a GUI interface." Also, page 7, section "Saving Files".

wherein the web site XML file is an XML document that specifies the structure of a multi-page web site – page 7, the "creating new documents" section: "To create a new document in XML Pro, simply select New from the File menu. XML Pro will then prompt you to enter the name of the Root Element for your document... Once you have input the root element name, the document will be created, with the root element in the document tree view. You can then begin editing the document contents, adding elements, associating a DTD, and so forth."

Art Unit: 2163

wherein the web site XML file specifies (a) relationships between web pages/documents of the multi-page web site; (b) the structure and content of the pages/document of the multi-page web site – pages 18-19 (structure and content of the web site is shown in a tree of documents/pages; elements, elements' types, attributes are shown also in the tree).

storing XML definitions for a plurality of components that are available for use by the customized web site – page 1a, 3<sup>rd</sup> paragraph of the "Text" section, "Simply put, XML consists of a series of tags that let you build definitions with which you can devise other customized tags for website development. XML Pro simplifies this otherwise intricate structure by letting developers work in a GUI interface"; page 13 (entities are defined within a document's DTD)

presenting a user with a series of one or more user interfaces for modifying the multi-page web site to create the customized web site; wherein the one or more user interfaces include controls for adding one or more components of said plurality of components to the multi-page web site – page 1a, 3<sup>rd-5<sup>th</sup></sup> paragraphs of the "Text" section, "...XML Pro simplifies this otherwise intricate structure by letting developers work in a GUI interface...when creating a new file, you are first presented with a dialog box prompting you to enter your root element, which will then appear at the top of a tree in the first of the two smaller panes. Each element can have an attribute, which is in essence the data belonging to that element;... Selecting an element opens a more detailed version of it in the main

Art Unit: 2163

window, from which you can create child elements, attributes, or PCDATA information...”; element wizard window – page 9; attribute wizard window – page 12.

receiving through the controls user input that adds a particular component of said plurality of components to said multi-page web site – page 12, the “creating new attributes” section; page 13, the “adding an entity to the document” section.

in response to the user input, adding the XML definition associated with the particular component to the web site XML file to produce a modified web site XML file that defines a multiple-page web site that includes said particular component – page 11, “elements in the document” and “inserting elements in the document” sections; page 16, “editing attributes”, “assigning values to attributes” and “how attributes are written” sections (you can enter, delete, or edits the values that have been assigned to element attributes in your document...if you delete an attribute from the attribute wizard, it deletes all instances of the attribute throughout the document.”

causing a web site building component to automatically build the customized web site based on the modified web site XML file – page 10, elements window with the “insert” button will allow users to click on to have the new modified web site automatically created; also entities window on page 13 with the insert button if users desire to add/edit entities.

The "XML Pro v2 User Guide" teaches web site development where developers work in a GUI interface, and XML represents an industry-wide effort to provide a standard for establishing what data is displayed in a web browser – page 1a, 3<sup>rd</sup> paragraph of the "Text" section; creating new documents, saving files – page 7; "XML Pro allows you to preview the actual XML Code that the program generates and writes out to your XML file. This feature is similar to the View Source feature found in the Netscape and Internet Explorer browsers, and allows you to see the text presentation of your document structure" – page 18, section "Viewing the XML code". However, Nussbaum et al. further teach a storage medium for storing the XML documents, and an application server configured for executing the XML documents in an application run time environment – col. 3, line 13 to col. 4, line 39; the ability to convert XML documents to HTML document as described ...col. 5, line 18 to col. 6, line 41. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the "XML Pro v2 User Guide"'s teaching with Nussbaum et al.'s teachings in order to allow XML documents take advantage of the HTML capability of specifying URLs or enables application developers to utilize the welth of web application development tools developed for conventional HTML-based web applications – col. 5, lines 18-29.



Art Unit: 2163

As per claim 55, the "XML Pro V2 User Guide" does not explicitly teach causing the web site building component to create a database for storing the customized web site. Bernado et al. teach "the database templates may preferably be constructed using an application assembly engine" – col. 8, lines 8-10; "the tool further comprises a library of templates (e.g., text, fields, HTML code and formulas) that correspond to the available features and options. The templates comprise databases which may include fields, forms, views, text, formulas and profiles that enables customization of the features." – col. 6, lines 38-43; col. 10, lines 25-59. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the "XML Pro v2 User Guide"'s teaching with Bernado et al.'s teachings in order to effectively store the new/updated website created/initiated by users.

Claim 56 is rejected under 35 U.S.C. 103(a) as being unpatentable over "XML Pro v2 User Guide", Copyright 1999 Vervet Logic LLC, 25 pages, Nussbaum et al. (US 6779154), and further in view of Brooke et al. (US 6748569).

As per claims 56, Nussbaum et al. and "XML Pro v2 User Guide" do not teach XSLT. However, Brooke et al. teach XML server pages language – the title. Brooke et al. teach creating an extensible stylesheet language transformation (XSLT) document for forming a document displayable by a web browser process operated by the user – col. 6, lines 4-54. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Nussbaum

Art Unit: 2163

et al.'s and "XML Pro v2 User Guide"'s teachings with Brooke et al.'s teaching in order to advantageously allows web page developers and other content providers to switch from editing numerous markup language files to implement a change to creating data forms using scripts that retrieve data and style information from common sources where possible – col. 13, lines 60-64.

Claim 57 is rejected under 35 U.S.C. 103(a) as being unpatentable over "XML Pro v2 User Guide", Copyright 1999 Vervet Logic LLC, 25 pages, Nussbaum et al. (US 6779154), and further in view of Silva et al. (US 6976210).

As per claim 57, the "XML Pro V2 User Guide" and Nussbaum et al. do not explicitly teach wherein a particular component is dynamically generated at a different computer than a computer storing the web site XML file. Silva et al. teach "method and apparatus for web-site-independent personalization from multiple sites having user-determined extraction functionality" – the title. "An important characteristic of Web information is that it may change frequently. For example, news sites may be updated hourly, financial sites may update stock prices every 20 minutes, weather updates are provided every three hours, online classified ads change daily, etc. Thus, in creating each Web clipping component of the composite personal Web view, the user can specify an independent refresh rate for that clipping" – col. 1, line 65 to col. 2, line 43; "web clipping 301 is derived from the Quicken ([www.quicken.com](http://www.quicken.com)) website; web clipping 302 is derived from web site from which a user's personal 401k account can be

Art Unit: 2163

retrieved... - col. 9, lines 27-35. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the "XML Pro v2 User Guide"'s teaching, Nussbaum et al.'s teaching, with Silva et al.'s teaching to efficiently and quickly incorporate an outside component to a website which allow users to view desired information sources quickly.

As per claim 58, the "XML Pro V2 User Guide" does not explicitly teach wherein a particular user interface, of the one or more user interfaces, includes a link to another web site for generating the particular component. Nussbaum et al. teach «the context module 52 is configured for generating linking information within the application runtime environment 24 for an XML object referenced within a given XML page – col. 8, lines 35-56. However, Silvia et al. further teach "An important characteristic of Web information is that it may change frequently. For example, news sites may be updated hourly, financial sites may update stock prices every 20 minutes, weather updates are provided every three hours, online classified ads change daily, etc. Thus, in creating each Web clipping component of the composite personal Web view, the user can specify an independent refresh rate for that clipping" – col. 1, line 65 to col. 2, line 43. "Web clipping 301 is derived from the Quicken ([www.quicken.com](http://www.quicken.com)) website; web clipping 302 is derived from web site from which a user's personal 401k account can be retrieved... - col. 9, lines 27-35. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the "XML Pro v2 User Guide"'s teaching, Nussbaum et al.'s teaching, with Silva et al.'s teaching to efficiently and quickly

Art Unit: 2163

incorporate an outside component to a website which allow users to view desired information sources quickly.

### ***Response to Arguments***

Applicant's arguments with respect to claims 54-58 have been considered but are moot in view of the new ground(s) of rejection.

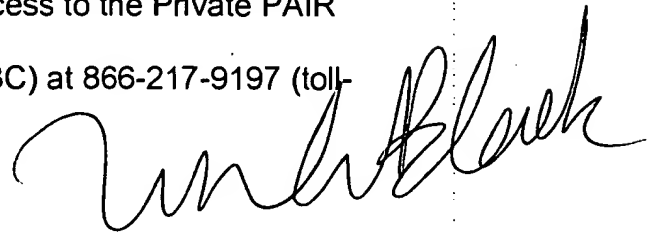
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH BLACK whose telephone number is 571-272-4106. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on 571-272-1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


Art Unit: 2163

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LINH BLACK  
Examiner  
Art Unit 2163

September 15, 2006



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